



**State of Tennessee  
Department of Environment and Conservation  
Division of Water Pollution Control  
Mining Section  
3711 Middlebrook Pike  
Knoxville, Tennessee 37921  
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### **Notice of Public Meeting**

**Public Notice: M2007-16**

**Issuance Date: November 14, 2007**

**Last Day to Submit Written Comments: January 18, 2008**

**NOTICE IS HEREBY GIVEN**, that in response to an application to modify an existing NPDES permit, the Division of Water Pollution Control, Mining Section, will hold the following public meeting, pursuant to *Rule 1200-4-3-.06* of the Tennessee Department of Environment and Conservation.

**Tuesday, January 8, 2008  
7:00 p.m. CST  
Henry Horton State Park  
4358 Nashville Highway  
Chapel Hill, Tennessee 37034**

At the meeting, the Division will present information regarding the economic and social justification for the increased discharge of treated mine wastewater and storm water to an Exceptional Tennessee Water by the following applicant:

**Marshall County Stone, LLC  
Highway 99 Quarry  
Draft NPDES Permit TN0079171  
Marshall County**

The site is located on State Route 99, in Lewisburg, Tennessee. The specific location of the site is Latitude 35°37'22.1" North, Longitude 86°47'58.7" West. An NPDES permit was first issued on May 7, 2004, for this facility at its present location under the name, Warner/Brothers Custom Stone.

The existing permit includes 9.2 acres, with one settling basin and one outfall. As part of the currently proposed modifications, the company will change its name to Marshall County Stone, LLC. Other modifications to the permit include the additions of 110.8 acres, an asphalt plant; and a concrete plant;

construction of new treatment ponds; and a new outfall location. The modified permit would authorize the discharge of runoff from the mine site after it has undergone treatment in settling basins for Total Suspended Solids (TSS), Oil and Grease, and pH.

The total proposed permit acreage is for 120 acres. The quarry pit will be pumped to Sediment Basin 1. The batch plants, office, wheel wash, stockpile and crusher areas will drain to Sediment Basin 1. The overburden area will drain to Sediment Basin 2. Through a drainage ditch, both ponds overflow at the same monitoring point, 001, and to a wet weather conveyance. The applicant proposes to reduce TSS in the discharge by the use of settling basins that have been designed to treat a 10-year/24-hour storm event. Water from the ponds will be reused in dust suppression and at the wheel wash. Once the mining progresses, wastewater and storm water drainage will be stored in the quarry sump, further reducing the occurrence of a discharge to waters of the State.

The Duck River has been identified by the Division as Exceptional Tennessee Water. The receiving stream for discharges from the operation is a wet weather conveyance that becomes an unnamed tributary to the Duck River downstream of Highway 99. The confluence of this unnamed tributary is with the Duck River at approximately one stream mile downstream from the discharge.

*Rule 1200-4-3-.04* defines “degradation” as the alteration of the properties of waters by the addition of pollutants, but alterations having no measurable or less than a five-percent loss of assimilative capacity will not be considered degradation. The discharge parameters that would be limited by an NPDES permit are TSS, Oil and Grease, and pH. *Under Rule 1200-4-3-.03, Criteria for Water Uses*, the water quality criteria for TSS and Oil and Grease are narrative not numeric and there are no approved methods to determine the assimilative capacity of the stream for these pollutants. The Division is considering the addition of any pollutant to the stream as degradation.

The applicant has provided the social and economic information for their proposal to degrade Exceptional Tennessee Water. Permit effluent limits and water quality standards can be met by appropriately sized treatment structures and erosion control design. The company demonstrates the financial and technological capacity to support expanded operations in terms of sediment and erosion control measures and appropriately sized treatment systems. The expansion will provide 22 additional jobs that will be of economic benefit to Marshall County, which is reported to rank 6<sup>th</sup> in the state in terms of unemployment rates.

Written comments will be accepted at the meeting and until **January 18, 2008**.

Interested persons may obtain additional information and copy the application and supporting documentation from the permit files maintained at the Mining Section’s office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting by email [Kimberley.Reardon@state.tn.us](mailto:Kimberley.Reardon@state.tn.us) or call (865) 594-5619 to schedule an appointment for the review. A copy of the permit application will be available for review at the meeting.

ADA inquiries should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**). Such contact may be in person, by writing, telephone, or other means and should be made no later than **January 4, 2008**, to allow time to provide such aid or services.